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HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM: HON'BLE SHRI H.L. DATTU, CJ &
HON'BLE SHRI V.K. SHRIVASTAVA, J.

W.P.NO. 1874 OF 2001

PETITIONERS State of Chhattisgarh through The Joint Director, Panchayat and Social Welfare Department, Bilaspur (Chhattisgarh)

Vs.

RESPONDENTS

1. P.D. Bhatt, Retired District Rehabilitation Officer of Panchayat and Social Welfare Department, resident of Nehru Nagar, Bilaspur (Chhattisgarh)
2. The State of Madhya Pradesh through the Secretary, Panchayat & Social Welfare Department, Bhopal
3. Registrar, Madhya Pradesh Administrative Tribunal, Jabalpur

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Present: Shri Sumesh Bajaj, Govt. Advocate for the petitioner/State.
Shri V.R. Tiwari, counsel for respondent No.1
Shri Rajeev Shrivastava, founsel for respondent No.2.

ORAL ORDER
(Passed on 16th March, 2007)

The following oral order of the Court was passed by H.L. Dattu, C.J.

The State of Chhattisgarh is the petitioner in this writ petition. It calls in question the correctness or otherwise of the order passed by the M.P. State Administrative Tribunal, Jabalpur, in O.A. No.2475/99 dated 09.01.2001. By the impugned order, the Tribunal had directed the State of Madhya Pradesh to settle all the

terminal benefits of the petitioner with interest within a particular time frame.

(2) The State of Chhattisgarh through its Joint Director has presented this writ petition questioning the order passed by the Tribunal. During the pendency of the writ petition , an affidavit is filed by one Shri Sunil Kujur, Secretary Department of Social Welfare, Mantralaya, Raipur dated 19th March 2004. In the said affidavit, it is stated that all the payments due to respondent No.1 in this writ petition have been paid by the State of Chhattisgarh, in compliance of the order passed by the Tribunal in O.A. No,2475/1999 dated 09.01.2001..

(3) Since there is total implementation of the order passed by the Tribunal without keeping any liberty for them to agitate this writ petition, we are of the opinion that the relief sought for by the petitioner in this writ petition need not be granted by us.

(4) Shri V.R. Tiwari, learned counsel appearing for the first respondent would submit that the first respondent would not make any further claim for non-payment of any other amounts due to him, either by way of terminal benefits or by way of belated payment of interest, either before the State of Chhattisgarh or before the State of M.P. The memo so filed by learned counsel appearing for respondent No.1 is made a part of this Court's order.

(5) In view of the above discussion, in our opinion, the relief sought for in this writ petition need not be considered by us. Accordingly, the writ petition is disposed of. If it is possible and

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permissible, the State of Chhattisgarh is entitled to claim refund of whatever amounts paid to the petitioner from the State of Madhya Pradesh. Ordered accordingly.

Sd//-
V.K.Shrivastava
Judge

Sd/-
Chief Justice